



MARICOPA COUNTY JUSTICE COURT

If you want to file a...

MOTION TO VACATE JUDGMENT

Small Claims & Civil




MARICOPA COUNTY JUSTICE COURT

A **MOTION TO VACATE JUDGMENT** can be filed by either party to vacate a default judgment or a judgment following a hearing or trial. **If the time to appeal the judgment has expired, the motion to Vacate Judgment must be served on the other party in the same manner as if serving a summons and complaint and proof of service must be filed with the court.** If the time to appeal the judgment has not expired the Motion to Vacate Judgment may be served by first class mail.


If the motion to Vacate Judgment is your first filing in the case, you will be required to pay an answer fee.

The opposing party has **TEN** days after service of this motion to file a written response. If no response is received, the court will consider the motion and will enter an Order.

Please STOP...

	If there has not yet been a judgment rendered from the court.
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Please PROCEED...

	If you want to court to vacate the judgment rendered.
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FORMS Needed:

<input checked="" type="checkbox"/>	Civil Motion to Vacate Judgment
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MARICOPA COUNTY JUSTICE COURT

INSTRUCTIONS:

- 1) Complete the forms and then make copies. The court will require the original form. You may wish to have a copy and you will need a copy for each named plaintiff.
- 2) File the forms with the court clerk and pay the answer fee, if applicable.
- 3) Serve a copy on the other party (and attorney if applicable):
 - A. By first class mail if the time to appeal the judgment has not passed.
 - B. In the manner as provided in Rule 4, Arizona Rules of Civil Procedure – If the time to appeal the judgment has passed.

IT IS IMPORTANT THAT ALL PARTIES KEEP THE COURT APPRISED OF ANY CHANGE IN ADDRESS A NOTICE OF CHANGE OF ADDRESS form must be filed with the court when a party changes their address.

Visit us at www.superiorcourt.maricopa.gov/justicecourts for additional filing information and online forms.

Filing Party or Attorney for Filing Party

Address

Maricopa County Justice Courts, State of Arizona

CASE NUMBER: _____

Plaintiff(s) Name / Address

Defendant(s) Name / Address

☐ **MOTION to VACATE JUDGMENT** ☐ **MOTION TO MODIFY JUDGMENT**
☐ ORAL ARGUMENT REQUESTED ☐ BY AGREEMENT

I am the ☐ Plaintiff ☐ Defendant in this case.

I would like the court to:

Date: _____

☐ Plaintiff

☐ Defendant

I CERTIFY that I mailed / delivered a copy of this MOTION to:

☐ Plaintiff at the above address or ☐ Plaintiff's attorney ☐ Defendant at the above address or ☐ Defendant's attorney

Date: _____

By: _____

☐ Plaintiff

☐ Defendant

NOTICE TO MOVING PARTY:

- ☐ *Time to appeal the judgment has expired. The motion is required to be served in the manner provided for service of summons in Rule 4, 4.1, or 4.2 Rules of Civil Procedure, as applicable. Proof of service must be filed with the court.*
- ☐ *The time to appeal the judgment has not expired. The motion is required to be served by first class mail.*

NOTICE TO RESPONDENT: *You have 10 days after service of this motion to file a written response, if you wish to do so. If no response is given, the Court will consider the relief requested and will enter an order without hearing any objection you may have.*